

State Assurances Template

Under the Every Student Succeeds Act



U.S. Department of Education
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Paperwork Burden Statement According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0576. The time required to complete this information collection is estimated to average 2181 hour per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this collection, please write to: U.S. Department of Education, Washington, DC 20202-4537. If you have comments or concerns regarding the status of your individual submission of this collection, write directly to: Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Ave., S.W., Washington, DC 20202-3118.

COVER SHEET FOR STATE PLAN ASSURANCES

Overview

Section 8304 of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)¹, provides that each State Educational Agency (SEA), in consultation with the Governor of the State, that submits a consolidated State plan or individual program plan under the ESEA, as amended by the ESSA, must have on file with the Secretary a single set of assurances. Each SEA must submit to the Secretary agreement to the enclosed sets of assurances **no later than April 3, 2017** in order to receive Federal allocations for the following programs for fiscal year 2017:

- Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: Language Instruction for English Learners and Immigrant Students
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21st Century Community Learning Centers
- Title V, Part B, Subpart 2: Rural and Low-Income School Program
- Title VII, Subpart B of the McKinney Vento-Homeless Assistance Act: Education for Homeless Children and Youths

Instructions



Each SEA must review the enclosed assurances and demonstrate agreement by selecting the boxes provided. In order to demonstrate agreement, the authorized SEA representative must complete the fields below and provide a signature in the space provided.

¹ Unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.

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The SEA, through its authorized representative, agrees to the enclosed assurances.

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Contact Information and Signatures	
SEA Contact (Name and Position)	Telephone
BJ Granbery, Assistant Superintendent	406-444-4420
Mailing Address:	Email Address:
PO Box 202501, Helena, MT 59620	bgranbery@mt.gov
Authorized SEA Representative (Printed Name)	Telephone:
Denise Juneau	406-444-4420
Signature of Authorized SEA Representative	Date:
	12/28/16
Signature of Governor (If Applicable)	Date:
	Dec. 16, 2016

The SEA, through its authorized representative, agrees to the enclosed assurances.

General Assurances

Each SEA must assure that—

- ☒ Each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
- ☒ The control of funds provided under each such program and title to property acquired with program funds will be in a public agency, a eligible private agency, institution, or organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities; and
- ☒ The public agency, eligible private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing law;
- ☒ The State will adopt and use proper methods of administering each such program, including—
 - ☒ The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
 - ☒ The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation; and
 - ☒ The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of the programs;
- ☒ The State will cooperate in carrying out any evaluation of each such program conducted by or for the Secretary or other Federal officials;
- ☒ The State will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the State under each such program;
- ☒ The State will—
 - ☒ Make reports to the Secretary as may be necessary to enable the Secretary to perform the Secretary's duties under each such program; and
 - ☒ Maintain such records, provide such information to the Secretary, and afford such access to the records as the Secretary may find necessary to carry out the Secretary's duties; and
 - ☒ Before the plan or application was submitted to the Secretary, the State afforded a reasonable opportunity for public comment on the plan or application and considered such comment.

Program-specific Assurances

Title I, Part A

- ☒ The SEA will assure that, in applying the same approach in all LEAs to determine whether students who are enrolled in the same school for less than half of the academic year as described in 34 C.F.R. § 200.20(b) who exit high school without a regular high school diploma and do not transfer into another high school that grants a regular high school diploma, those students are counted in the denominator for reporting the adjusted cohort graduation rate using one of the following (**select one**) —
 - ☐ At the school in which such student was enrolled for the greatest proportion of school days while enrolled in grades 9 through 12; or
 - ☒ At the school in which the student was most recently enrolled.
- ☒ To ensure that children in foster care promptly receive transportation, as necessary, to and from their schools of origin when in their best interest under section 1112(c)(5)(B) of the ESEA, the SEA will ensure that an LEA receiving funds under Title I, Part A of the ESEA will collaborate with State and local child welfare agencies to develop and implement clear written procedures that describe:
 - (A) How the requirements of section 1112(c)(5)(B) of the ESEA will be met in the event of a dispute over which agency or agencies will pay any additional costs incurred in providing transportation; and
 - (B) Which agency or agencies will initially pay the additional costs so that transportation is provided promptly during the pendency of the dispute.
- ☒ The SEA will assure, under section 1111(g)(1)(B) of the ESEA, that it will must publish and annually update—
 - ☒ The statewide differences in rates and disproportionalities required under 34 C.F.R. § 299.18 (c)(3) of this section;
 - ☒ The percentage of teachers categorized in each LEA at each effectiveness level established as part of the State-determined definition of “ineffective teacher” under 34 C.F.R. § 299.18 (c)(2)(i) of this section, consistent with applicable State privacy policies;
 - ☒ The percentage of teachers categorized as out-of-field teachers consistent with 34 C.F.R. § 200.37; and
 - ☒ The percentage of teachers categorized as inexperienced teachers consistent with 34 C.F.R. § 200.37.
 - ☒ The information required under 34 C.F.R. § 299.18(c)(4)(i) through (iv) of this section in a manner that is easily accessible and comprehensible to the general public, available at least on a public Web site, and, to the extent practicable, provided in a language that parents of students enrolled in all schools in the State can understand, in compliance with the requirements under 34 C.F.R. § 200.21(b)(1) through (3). If the information required under paragraphs (c)(4)(i) through (iv) is made available in ways other than on a public Web site, it must be provided in compliance with the requirements under 34 C.F.R. § 200.21(b)(1) through (3).

Title III, Part A

- ☒ In establishing statewide entrance procedures required under section 3113(b)(2) of the ESEA, the SEA will ensure that—
 - ☒ All students who may be English learners are assessed for such status using a valid and reliable instrument within 30 days after enrollment in a school in the State;
 - ☒ It has established procedures for the timely identification of English learners after the initial identification period for students who were enrolled at that time but were not previously identified; and
 - ☒ It has established procedures for removing the English learner designation from any student who was erroneously identified as an English learner, which must be consistent with Federal civil rights obligations.
- ☒ In establishing the statewide entrance and exit procedures required under section 3113(b)(2) of the ESEA and 34 C.F.R. § 299.19(b)(4) , the SEA will ensure that the criteria are consistent with Federal civil rights obligations.

Title V, Part B, Subpart 2

- ☒ The SEA will assure that, no later than March of each year, it will submit data to the Secretary on the number of students in average daily attendance for the preceding school year in kindergarten through grade 12 for LEAs eligible for funding under the Rural and Low-Income School program, as described under section 5231 of the ESEA.